IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

CRP.No. 160 of 2007

Ele.OP.102/02 OF ADDL. DISTRICT COURT, THODUPUZHA

.....

REVN. PETITIONER/RESPONDENT IN OP:

THE KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VYDYUTHI BHAVANAM,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.S.ANIL, SC, KSEB

RESPONDENT/PETITIONER IN OP:

JOSE, S/O. VARKEY,
VEETTIYANKAL HOUSE,
KANJAR KARA,
KUDAYATHOOR VILLAGE.

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

C.M.Appl.No.201 of 2007 &

C.R.P.No. 160 of 2007

ORDER

C.M.Appl.No.201/07

This is an application seeking for condonation of delay of 537 days in filing the Civil Revision Petition. The reason for the delay stated in paragraph 2 of the affidavit, accompanying the C.M. Application, is as follows:

> "The final order was passed on 14.9.2004 and the certified copy of the judgment was delivered on 2.3.2005. Thereafter, the counsel appearing for the KSE Board before the court below sent the certified copy along with his opinion to file revision petition against the above Elec.O.P. to the KSE Board. The Board accorded sanction for filing the revision. In the meanwhile, there was some delay in transmitting the copies of the lower court records and hence, there occurred some delay in filing the above revision petition. The delay is due to administrative reasons."

Absolutely, no explanation is given as to how and why so much delay has occurred, except that some delay has occurred in transmitting the copies of the lower court records and the delay is due to administrative reasons. This sort of unsatisfactory explanation cannot be taken into account as sufficient cause to condone the delay of as many as 537 days in filing the CRP. This C.M. Application, in the circumstances, is devoid of merit and deserves to be dismissed.

In the result, I dismiss this C.M. Application.

C.R.P.No.160/07

C.M.Application No.201/07 seeking for condonation of delay of 537 days in filing the CRP is dismissed. Consequently, this CRP, filed out of time, is not maintainable and is dismissed.

6th March, 2007 (K.P.Balachandran, Judge)

tkv